Commonwealth of Kentucky
Natural Resources and Environmental Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382

AIR QUALITY PERMIT

Issued under 401 KAR 52:020

Permittee Name:	**The Hennegan Company**
Mailing Address:	**7455 Empire Drive, Florence, Kentucky 41042**
Source Name:	**The Hennegan Company**
Mailing Address:	**7455 Empire Drive** **Florence, Kentucky 41042**
Source Location:	**7455 Empire Drive, Florence, Kentucky**
UTM:	**4316.8N, 704.5E**
Permit Number:	**VF-01-001**
Log Number:	**53654**
Review Type:	**Construction/Operation**
Source ID #:	**21-015-00088**
SIC Code:	**2752**
Regional Office:	**Florence Regional Office** **8020 Veterans Memorial Drive, Suite 110** **Florence, KY 41042**
County:	**Boone**
Application Complete Date:	**May 8, 2001**
Issuance Date:	**July 30, 2001**
Expiration Date:	**July 30, 2006**

John E. Hornback, Director
Division for Air Quality

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SECTION A - PERMIT AUTHORIZATION

Pursuant to a duly submitted application, the Kentucky Division for Air Quality hereby authorizes the construction/operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first having submitted a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:020, Title V Permits.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

EP05 (03W)

Description:

03W is an **8-color Heidelberg Web Printing Press** using a fountain solution to distinguish between print area and non-print area with an oven and a chiller.
03W has a maximum design feed rate of 2,000 ft/min (per manufacturer) but it will typically be operated at 1,400 ft/min.
03W utilizes cylinders 38 inches wide and has the capacity to print on both sides of a web simultaneously.
03W can utilize heat set ink at a maximum design rate of 263 lbs/hr due to dryer limitations.
The oven on 03W uses a 4.0 MM Btu/hr maximum heat input burner to dry ink on the web.
03W is equipped with an automated blanket washing system utilizing a packaged solvent and cloth system to clean ink from blanket cylinders.
VOC emissions are controlled by a regenerative thermal oxidizer. Control efficiency of the oxidizer is to be determined through testing.
03W construction commenced: projected for 2001.

APPLICABLE REGULATIONS:

Regulation **401 KAR 50:012**, General application, requires control procedures that are reasonable, available, and practical to be applied to all major air contaminant sources.

Regulation **401 KAR 59:010**, New process operations applicable to each affected facility associated with a process operation commenced after July 2, 1975, limits particulate emissions.

Operating Limitations:

401 KAR 50:012

The following limits are required by Section 1(2) of 401 KAR 50:012. The limits have been established by the division and represent control procedures that are reasonable, available, and practical.

1. Negative pressure shall be maintained at the dryer exhaust inlet when the press is in operation.

2. An air flow direction measuring device shall be operated according to manufacturer's instructions at the oven exhaust inlets.

Note: This condition is required to demonstrate compliance with Operating Limitation #1.

3. When web presses are in operation, combustion chamber temperature of the regenerative thermal oxidizer shall be maintained above the minimum temperature that the oxidizer is operated at during initial testing.

4. The fountain solution utilized by the press shall not contain alcohol.

Note: Alcohol is defined to mean normal propyl alcohol, ethanol, and isopropyl alcohol.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Operating Limitations (Continued):

401 KAR 50:012

5. The fountain solution applied at the press shall contain no more than 5% VOC by weight.

Compliance Demonstration Method:

The VOC content of fountain solutions applied at the press shall be demonstrated to be no more than 5% by limiting the allowable mixing proportion for fountain solution ingredients and verifying that mixing proportioning valves are working properly.

If the fountain solution ingredients are supplied to the press's dampening system in proportions that result in a mixture containing no more than 5% VOC, then the applied fountain solution will have a VOC content of 5% or less. Allowable mixing proportions can be determined using the following equation.

VOC content (% by weight) = 100%
x S [gallons of each ingredient in the applied fountain solution
x VOC content (in lbs/gal) of the ingredient]
/ S [gallons of each ingredient in the applied fountain solution
x density (in lbs/gal) of the ingredient]

For example:

If only Emerald Premium QHN fountain concentrate and water enter the press's dampening system (neglecting ink and paper from the press), then the highest allowable mixing proportion can be determined.

Emerald Premium QHN fountain concentrate has a VOC content of 1.63 lbs/gal and a density of 8.9 lbs/gal.

5% ³ 100% x (oz of concentrate x 1 gal/128 oz x 1.63 lbs/gal + 1 gal x 0.0 lbs/gal) / (oz of concentrate x 1 gal/128 oz x 8.9 lbs/gal + 1 gal x 8.35 lbs/gal)

Rearranging and solving for oz of concentrate:

0.05 x (oz of concentrate x 8.9/128 + 8.35) lbs ³ oz of concentrate x 1.63/128 lbs oz of concentrate x 0.445/128 + 0.4175 ³ oz of concentrate x 1.63/128

50 ³ oz of concentrate

The highest allowable mixing proportion for this example is 50 oz of fountain concentrate per gallon of water.

Once the highest allowable mixing proportion has been determined, record keeping shall be used to demonstrate that the fountain solutions metered to the press's dampening system are not greater than 5% VOC. Assuming that the ingredients are supplied to the dampening system exclusively through metered valves, a record of the valve throughput ratios (for example: 4 oz of concentrate per gallon of water) can be used to demonstrate compliance.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Operating Limitations (Continued):

401 KAR 50:012

Compliance Demonstration Method (Continued):

It is obvious that this demonstration is valid only if proportioning valves are working properly. To confirm proper operation of water and fountain solution concentrate proportioning equipment, pH and conductivity shall be measured each time the dampening system is charged with only fresh ingredients. If the measured pH and conductivity agree with the calculated VOC content that the ratio of ingredients corresponds to, proper operation of the proportioning equipment is confirmed.

Conductivity and pH measurements can be used to determine the VOC content of the fountain solution if measurements are compared to known fountain solutions and pure water.

Example:

After the press's dampening system is purged, fresh fountain solution ingredients are mixed and introduced into the press's dampening system. Emerald Premium QHN fountain concentrate and water are mixed in a 4.0 ounce to 1.0 gallon ratio. Conductivity and pH measurements are taken prior to press operation. The measurements indicate that the fountain solution has a VOC content of 0.6%. VOC content of the solution is calculated using the VOC content equation on the previous page.

Emerald Premium QHN fountain concentrate has a VOC content of 1.63 lbs/gal and a density of 8.9 lbs/gal.

VOC content (% by weight) = 100% x (4.0 oz x 1 gal/128 oz x 1.63 lbs/gal + 1.0 gal x 0.0 lbs/gal) / (4.0 oz x 1 gal/128 oz x 8.9 lbs/gal + 1.0 gal x 8.35 lbs/gal) = 0.59%

In the above example, proportioning equipment is verified to be operating properly.

Example continued:

Prior to being purged from the dampening system, the above fountain solution receives make-up ingredients as necessary but always in the proportion indicated by the make-up valve controls. The controls are changed many times prior to the purge but the highest setting used is 6.0 ounces of concentrate to 1.0 gallons of water.

Since the example has ingredients that allow up to 50 ounces of concentrate per gallon of water, an applied fountain solution with a maximum of 6.0 ounces of concentrate per gallon of water, and proportioning equipment that is working properly, compliance was demonstrated.

If suitable concentrate to water ratios are utilized in each fountain solution applied and proportioning equipment is demonstrated to be working properly, compliance will be demonstrated.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Operating Limitations (Continued):

401 KAR 50:012

6. Cleaning solutions shall be limited to a maximum vapor pressure of 10 mm Hg @ 20° C.

7. Evaporative losses from cleaning solutions shall be minimized. Unused solutions and waste portions (including solvent laden towels) shall be stored in closed containers.

Compliance Demonstration Method:

Monitoring and record keeping shall be used to demonstrate compliance with the requirement.

401 KAR 59:010

The following limits have been established as part of compliance with Emission Limitations #1 and #2.

8. Only natural gas shall be burned in the ovens.

9. Only inks designed for use with heat set web presses shall be used.

10. Operation and maintenance of the press and control device shall be practiced in accordance with manufacturer's specifications unless otherwise allowed or prohibited in this permit.

See Section E for additional operating limitations.

Emission Limitations:

401 KAR 59:010

1. Section 3(1) limits visible emissions to less than 20% opacity.

2. Section 3(2) limits emissions of particulate matter from each press to a maximum of 2.34 lbs/hr.

401 KAR 50:012

The following limit is required by Section 1(2) of 401 KAR 50:012. The limit has been established by the division and represents control procedures that are reasonable, available, and practical.

3. At least 90% of the VOC emissions entering the dryer exhaust shall be eliminated from the stack while the press is in operation.

Compliance Demonstration Method:

Initial compliance shall be demonstrated through testing. Continued compliance shall be demonstrated through monitoring. If combustion chamber temperature is equivalent to or greater than the minimum combustion chamber temperature realized during initial compliance demonstration, control efficiency is assumed to be equivalent to initial demonstration.

Testing Requirements:

401 KAR 50:012

As part of the requirements imposed by Section 1(2) of 401 KAR 50:012, the following testing shall be required. Testing shall be performed in accordance with Section G(d) of this permit. Alternative control efficiency determinations may be made only with the approval of the division.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Testing Requirements (Continued):

401 KAR 50:012

1. VOC control efficiency of the regenerative thermal oxidizer shall be determined through testing using appropriate EPA Methods approved by the division. Control efficiency is to be determined by measuring the VOC concentration of the exhaust stream **before** and **after** oxidation.
2. VOC control efficiency of the regenerative thermal oxidizer shall be reevaluated through testing using appropriate EPA Methods during calendar year 2005.

See Section G for additional testing requirements.

Specific Monitoring Requirements:

401 KAR 50:012

As part of the requirements resulting from Section 1(2) of 401 KAR 50:012, the following monitoring shall be required to demonstrate compliance.

1. The temperature of the combustion chamber for the thermal oxidizer shall be continuously monitored while the press is in operation.
2. Direction of airflow at the oven exhaust inlet shall be continuously monitored while the press is in operation.
3. Unused and waste portions (including solvent laden towels) of cleaning solutions shall be monitored daily to verify that the solutions are stored in closed containers.
4. Fountain solutions applied on the press shall have pH and conductivity measured each time the dampening system is charged with only fresh ingredients (prior to press operation).

Specific Record Keeping Requirements:

401 KAR 50:012

As part of the requirements resulting from Section 1(2) of 401 KAR 50:012, the following record keeping shall be required to demonstrate compliance or determine actual emissions.

1. The temperature of the combustion chamber for the thermal oxidizer shall be recorded continuously by a strip chart, computer, or some other continuous recording device.
2. When the press is operating, any airflow measurements at the dryer exhaust inlets that are not into the inlets shall be recorded.
3. The ingredients contained in each fountain solution applied on the press shall be recorded and include the period of time that the record represents.
4. The maximum allowable ingredient mix ratio for compliance with Operating Limitation #5 shall be recorded for each combination of fountain solution ingredients applied simultaneously.
5. The fountain solution ingredient proportioning valve position shall be recorded when the press's dampening system is initially charged and whenever the valve position is changed and include data and time. *For example: at initial charge on Aug. 8, 2001 at 1:30 p.m., the proportioning valve was set at 4.0 ounces of concentrate per gallon of water; at 4:30 p.m. on Aug. 10, 2001 the proportioning valve setting was changed to 6.0 ounces per gallon.*

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Specific Record Keeping Requirements (Continued):

401 KAR 50:012

6. Each time the dampening system is charged with only fresh ingredients, the VOC content of the applied fountain solution shall be calculated using the proportioning valve position utilized during the charge and the equation found in the compliance demonstration method for Operating Limitation #5.

7. Conductivity and pH measurements taken when only fresh ingredients are in the dampening system shall be recorded and include date and time.

8. General correlation graphs, interpolations, or equations between fountain solution conductivity and VOC content shall be recorded.

9. General correlation graphs, interpolations, or equations between fountain solution pH and VOC content shall be recorded.

10. Gallons or ounces of each fountain solution ingredient delivered to the press's dampening system from initial operation to purge and between purges shall be recorded and include date and time of each purge.

11. The VOC content (in lbs/gal) and the density (in lbs/gal) of each fountain solution ingredient delivered to the press's dampening system shall be recorded.

12. Total lbs. of VOC contained in the fountain solutions utilized on 03W shall be recorded monthly.

13. The vapor pressure and VOC content (in lbs/gal) of each cleaning solution shall be recorded.

14. The amount (in gallons) of each manually applied cleaning solution used each month shall be recorded.

15. The amount (in gallons) of each automatic blanket wash applied cleaning solution used each month shall be recorded.

16. Monitored storage of cleaning solutions that is not consistent with Operating Limitation #7 shall be recorded.

17. Compliance status with Specific Monitoring Requirement #3 shall be recorded weekly to demonstrate that the monitoring was actually performed.

18. Lbs. of each heat set ink used at 03W shall be recorded monthly.

19. The VOC content (% by weight) of each ink shall be recorded.

20. Total lbs. of VOC contained in the inks used at 03W shall be recorded monthly.

401 KAR 59:010

To demonstrate compliance with Operating Limitation #8,

21. A record of the type of fuel burned in the ovens shall be maintained.

To demonstrate compliance with Operating Limitation #9,

22. A record of the type of ink used by the presses shall be maintained.

To demonstrate compliance with Operating Limitation #10,

23. A copy of the manufacturer's operating and maintenance specifications shall be maintained and made available to appropriate division personnel,

24. Any operation or maintenance that is outside of the manufacturer's recommendations shall be recorded, and

25. Dates of maintenance performance shall be recorded.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Specific Reporting Requirements:

401 KAR 50:012

As part of the requirements resulting from Section 1(2) of 401 KAR 50:012, the following shall be required. Reports shall be certified by a responsible official and delivered or postmarked to the Division's Florence Regional Office prior to January 30th and July 30th of each year.

1. Minimum combustion chamber temperature during semiannual reporting periods shall be reported.

2. The maximum VOC content (% by weight) of the mixed ingredients proportioned to the press's dampening system during semiannual reporting periods shall be reported.

3. Any noncompliance with above permit conditions during semiannual reporting periods shall be reported and include the duration of the noncompliance. If all permit conditions were complied with, the permittee shall report that all permit conditions were complied with.

See Sections F and G for additional reporting requirements.

Specific Control Equipment Operating Conditions:

See Operating Limitations.

Alternate Operating Scenarios:

N/A

SECTION C - INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:020, Section 6. While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

	Description	Generally Applicable Regulation
1.	Marconi Data Systems Videojet ink system integrated into bindery line to print address labels	None

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

N/A

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

1. Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

401 KAR 50:012

2. To satisfy requirements of 401 KAR 50:012 Sections 1(1) and 1(2), a regenerative thermal oxidizer shall be used to control VOC emissions from web presses at this source (**01W, 02W, and 03W**).

   a. The oxidizer shall be at least capable of processing 11,300 scfm.
   b. The thermal oxidizer shall be operated at a temperature sufficient to eliminate at least 90% of the VOC emissions (as determined during testing) from the dryer exhaust stacks under all operating conditions.
   c. A temperature-monitoring device shall be installed, calibrated, maintained, and operated according to manufacturer's instructions in the combustion chamber. The temperature-monitoring device shall have a precision of plus or minus 1% of the Celsius temperature measured.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS

1. Pursuant to Section 1b (IV)(1) of the materials incorporated by reference in 401 KAR 52:020 Section 10, when continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
   a. Date, place (as defined in this permit), and time of sampling or measurements;
   b. Analyses performance dates;
   c. Company or entity that performed analyses;
   d. Analytical techniques or methods used;
   e. Analyses results; and
   f. Operating conditions during time of sampling or measurement.

2. Pursuant to Section 1b (IV)(2) of the materials incorporated by reference in 401 KAR 52:020 Section 10, records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality shall be retained by the permittee for a period of five years. In accordance with Section 1a (8) of the materials incorporated by reference in 401 KAR 52:020 Section 10, these records shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality.

3. In accordance with the requirements of Regulation 401 KAR 52:020 Section 3(1)(h) the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
   a. Access and copy any records required by this permit, enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation; and
   b. Sample or monitor substances or parameters that affect compliance with the permit or any applicable requirements.

   Reasonable times include all hours of operation, normal office hours, and during an emergency.

4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.

5. Summary reports of any monitoring required by this permit shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. Reports for emission units that are still under construction or emission units that have not commenced operation at the end of the period shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

6. All monitoring summary reports shall:
   a. Be certified by a responsible official pursuant to 401 KAR 52:020 Section 23,
   b. Clearly identify all deviations from permit requirements, and
   c. Be submitted prior to January 30th and July 30th of each year.

7. In accordance with the provisions of 401KAR 50:055, Section 1 the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
   a. When emissions during any planned shutdowns and ensuing startups will exceed the standards notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
   b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards notification shall be made as promptly as possible by telephone (or other electronic media) and shall cause written notice upon request.

8. Pursuant to Section 1b V(3) and (4) of the material incorporated by reference in 401 KAR 52:020 Section 10, the owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by Section F.7 above) to the Regional Office listed on the front of this permit within 30 days. Other deviations from permit requirements shall be included in the semiannual report required by Section F.5.

9. Pursuant to 401KAR 52:020, Section 21, the permittee shall annually certify compliance with the terms and conditions contained in this permit by completing and returning a Compliance Certification Form (DEP 7007CC) (or an approved alternative) to the Regional Office listed on the front of this permit in accordance with the following requirements:
   a. Identification of each term or condition of the permit that is the basis of the certification;
   b. The compliance status regarding each term or condition of the permit;
   c. Whether compliance was continuous or intermittent; and
   d. The method used for determining the compliance status for the source, currently and over the reporting period.
   e. For an emissions unit that was still under construction or which has not commenced operation at the end of the year covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.
   f. The certification shall be postmarked by January 30th of each year. **Annual compliance certifications should be mailed to the following addresses:**

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

Division for Air Quality
Florence Regional Office
8020 Veterans Memorial Drive, Suite 110
Florence, KY 41042

U.S. EPA Region IV
Air Enforcement Branch
Atlanta Federal Center
61 Forsyth St.
Atlanta, GA 30303-8960

Division for Air Quality
Central Files
803 Schenkel Lane
Frankfort, KY 40601

10. In accordance with Regulation 401 KAR 52:020, Section 22, the permittee shall provide the division with all information necessary to determine its subject emissions within thirty (30) days of the date the KEIS emission report is mailed to the permittee.

11. Pursuant to Section VII.3 of the policy manual of the Division for Air Quality as referenced by Regulation 401 KAR 50:016, Section 1(1), results of performance test(s) required by the permit shall be submitted to the division by the source or its representative within forty-five days after the completion of the fieldwork.

SECTION G - GENERAL PROVISIONS

(a) General Compliance Requirements

1. The permittee shall comply with all conditions of this permit. A noncompliance shall be a violation of 401 KAR 52:020 and the Clean Air Act and is grounds for enforcement action including but not limited to the termination, revocation and reissuance, revision, or denial of a permit. [Section 1a (3) of the materials incorporated by reference in 401 KAR 52:020 Section 10]

2. Notification by the permittee of a planned change or anticipated noncompliance, or filing of a request for any permit revision, reissuance, or rescission shall not stay any permit condition. [Section 1a (6) of the materials incorporated by reference in 401 KAR 52:020 Section 10]

3. Pursuant to Section 1a (3) of the materials incorporated by reference in 401 KAR 52:020 Section 10, 401 KAR 52:020 Section 7(3), and 401 KAR 50:060 Section 2, this permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:020 Section 19. The permit will be reopened for cause and revised accordingly under the following circumstances:
   a. If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:020 Section 12;
   b. The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
   c. The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

   Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the division may provide a shorter time period in the case of an emergency.

4. The permittee shall furnish upon request information requested by the division to determine compliance with the permit or to determine if cause exists for modifying, revoking and reissuing, or terminating the permit. [Sections 1a (7) and (8) of the materials incorporated by reference in 401 KAR 52:020 Section 10]

SECTION G - GENERAL PROVISIONS (CONTINUED)

5. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the permitting authority. [401 KAR 52:020 Section 7(1)]

6. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit. [Section 1a (14) of the materials incorporated by reference in 401 KAR 52:020 Section 10]

7. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance. [Section 1a (4) of the materials incorporated by reference in 401 KAR 52:020 Section 10]

8. Except as identified as state-origin requirements in this permit, all terms and conditions contained herein shall be enforceable by the United States Environmental Protection Agency and citizens of the United States. [Section 1a (15)(b) of the materials incorporated by reference in 401 KAR 52:020 Section 10]

9. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038 Section 3(6). [Section 1a (10) of the materials incorporated by reference in 401 KAR 52:020 Section 10]

10. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance. [401 KAR 52:020 Section 11(3)(b)]

11. This permit does not convey property rights or exclusive privileges. [Section 1a (9) of the materials incorporated by reference in 401 KAR 52:020 Section10]

12. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Kentucky Cabinet for Natural Resources and Environmental Protection or any other federal, state, or local agency.

13. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry. [401 KAR 52:020 Section 11(3)(d)]

14. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders. [401 KAR 52:020 Section 11(3)(a)]

SECTION G - GENERAL PROVISIONS (CONTINUED)

15. Permit Shield – A permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of permit issuance. Compliance with the conditions of this permit shall be considered compliance with:
    (a) Applicable requirements included and specifically identified in this permit; and
    (b) Non-applicable requirements expressly identified in this permit.

(b) Permit Expiration and Reapplication Requirements

1. This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the division. [401 KAR 52:020 Section 12]

2. The authority to operate granted through this permit shall cease to apply if the source fails to submit additional information requested by the division after the completeness determination has been made on any application, by whatever deadline the division sets. [401 KAR 52:020 Section 8(2)]

(c) Permit Revisions

1. Minor permit revision procedures specified in 401 KAR 52:020 Section 14 (3) may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of 401 KAR 52:020 Section 14 (2).

2. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

(d) Construction, Start-Up, and Initial Compliance Demonstration Requirements

1. Construction of process and/or air pollution control equipment authorized by this permit shall be conducted and completed only in compliance with the conditions of this permit.

SECTION G - GENERAL PROVISIONS (CONTINUED)

2. Within thirty (30) days following commencement of construction and within fifteen (15) days following start-up and attainment of the maximum production rate specified in the permit application, or within fifteen (15) days following the issuance date of this permit, whichever is later, the permittee shall furnish to the Regional Office listed on the front of this permit in writing, with a copy to the division's Frankfort Central Office, notification of the following:
   a. The date when construction commenced.
   b. The date of start-up of the affected facilities listed in this permit.
   c. The date when the maximum production rate specified in the permit application was achieved.

3. Affected facilities that are not completed in accordance with 401 KAR 52:020 Section 3(2) shall lose the construction and operation authorization granted in this permit. Accordingly:
   a. Construction shall commence no later than 18 months after the date of issue of this permit;
   b. Construction shall not begin and discontinue for 18 months or more unless the construction authorized is approved as a phased project;
   c. Construction shall be completed within 18 months of the scheduled completion date; and
   d. Each phase of a phased construction project shall commence construction within 18 months of the projected and approved commencement date.

   Upon a written request, the division may extend these time periods if the source shows good cause.

4. For those affected facilities for which construction is authorized by this permit, a source shall be allowed to construct with the proposed permit. Operation of the affected facilities for which construction is authorized by this permit shall not commence until compliance with the applicable standards specified herein has been demonstrated pursuant to 401 KAR 50:055, except as provided in Section I of this permit.

5. This permit shall allow time for the initial start-up, operation, and compliance demonstration of the affected facilities listed herein. However, within sixty (60) days after achieving the maximum production rate at which the affected facilities will be operated but not later than 180 days after initial start-up of such facilities, the permittee shall conduct a performance test on the affected facilities in accordance with 401 KAR 50:055, General compliance requirements. The performance test must be conducted in accordance with General Provision G(d)6 of this permit and the permittee must also furnish a written report of the results of such performance tests to the division’s Frankfort Central Office.

6. Pursuant to Section VII 2.(1) of the policy manual of the Division for Air Quality as referenced by 401 KAR 50:016, Section 1.(1), at least one month prior to the date of the required performance test, the permittee shall complete and return a Compliance Test Protocol (Form DEP 6027) to the division's Frankfort Central Office. Pursuant to 401 KAR 50:045, Section 5, the division shall be notified of the actual test date at least ten (10) days prior to the test.

SECTION G - GENERAL PROVISIONS (CONTINUED)

(e) Acid Rain Program Requirements

1. If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

(f) Emergency Provisions

1. Pursuant to 401 KAR 52:020 Section 24(1), an emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or other relevant evidence that:
   a. An emergency occurred and the permittee can identify the cause of the emergency;
   b. The permitted facility was at the time being properly operated;
   c. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and,
   d. The permittee notified the division as promptly as possible and submitted written notice of the emergency to the division within ten (10) working days of the time when emission limitations were exceeded due to the emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and the corrective actions taken.

2. Notification of the division does not relieve the source of any other local, state or federal notification requirements.

3. Emergency conditions listed in General Provision G(f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement. [401 KAR 52:020 Section 24(3)]

4. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof. [401 KAR 52:020 Section 24(2)]

(g) Risk Management Provisions

1. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:

   RMP Reporting Center
   P.O. Box 3346
   Merrifield, VA, 22116-3346

2. If requested, submit additional relevant information by the division or the U.S. EPA.

SECTION G - GENERAL PROVISIONS (CONTINUED)

(h) Ozone depleting substances

1. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
   a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
   b. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
   c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
   d. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166.
   e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
   f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.

2. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.

SECTION H - ALTERNATE OPERATING SCENARIOS

N/A

SECTION I - COMPLIANCE SCHEDULE

N/A